



DISTRICT COURT OF MARYLAND FOR Frederick County

Located at 100 West Patrick St, Frederick, Maryland 21701



Case No. D-111-CR-23-000958

STATE OF MARYLAND VS. MONTOYA-CASTILLO, ALEXI RUBEN

5031 CANVAS BACK COURT

FREDERICK, MD, 21703

SID: LID:

FBI#:

INITIAL APPEARANCE REPORT

(Md. Rules 4-213, 4-213.1, 4-216 and 4-216.1)

Advice

I hereby certify that when the above named Defendant was brought before me for initial appearance, I:

ADVISED Defendant has appeared without an attorney and has a right to an attorney at the initial appearance, of the importance of having an attorney and, if indigent, the Public Defender will provide representation if the proceeding is before a judge or, a court-appointed attorney will provide representation if the proceeding is before a commissioner.

ADVISED Defendant has the right to waive the right to be represented by an attorney at the initial appearance and the waiver is only applicable to the initial appearance and not to any other hearing or proceeding.

ADVISED Defendant has an absolute right to hire a private attorney at Defendant's expense to defend against these charges. If the Defendant does not have the money to hire a private attorney, the Defendant is advised to apply right away to a District Court commissioner for representation by the Public Defender. A District Court commissioner makes the determination of whether the Defendant is financially eligible for the services of the Public Defender. After receipt of the Final Qualification, all further questions should be directed to the Public Defender's Office.

ADVISED Defendant any representation by a court-appointed attorney is provisional, limited to the initial appearance, and will terminate automatically upon conclusion of the hearing.

INFORMED Defendant of each offense charged and of the allowable penalties, including any mandatory or enhanced penalties, if any.

ADVISED Defendant that a copy of the charging document is not available, but will be provided as soon as possible and gave Defendant a copy of the Notice of Advice of Right to Counsel.

READ to Defendant, the Notice of Advice of Right to Counsel.

ADVISED Defendant that if Defendant appears for trial without counsel, the Court could determine that the Defendant waived counsel and the Defendant may have to proceed to trial unrepresented by counsel.

INFORMED Defendant of Affidavit for Indigent, the Defendant completed the requested affidavit and the commissioner determined with the criteria set forth in Code, Criminal Procedure Article §16-210 (b) and (c) whether the Defendant qualifies for a court-appointed attorney.

INFORMED Defendant that this preliminary determination is for the purpose of representation at the initial appearance only.

WAIVER OF ATTORNEY: Defendant elected to waive an attorney at initial appearance.

ADVISED Defendant that an attorney can be helpful in explaining the procedure and in advocating that the Defendant should be released immediately on recognizance or on bail with minimal conditions,

ADVISED Defendant that it may be possible for the attorney to participate electronically or by telecommunication, and

ADVISED Defendant that any waiver would be effective only for the initial appearance and not for any subsequent proceedings.

CERTIFICATION: The judicial officer finds that the Defendant knowingly and voluntarily waived the right to an attorney at the initial appearance. Waiver is only applicable at the initial appearance hearing and not to any other hearing or proceeding.

Pretrial Release Determination

On the basis of information available to and developed by me I HAVE DETERMINED:

Tracking No. 236343003665

DV

DC-CR-007 (Rev. 11/2017)

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That Defendant may be released on personal recognizance because it will reasonably assure the Defendant's appearance.

The following Required Condition(s) of Release are imposed on the Defendant:

Do not engage in any criminal conduct during the period of pretrial release.

Appear in court when notified to do so.

Subjected to the following Special Conditions:

✓ Abstain from alcohol, or abusive use or possession of a narcotic drug or other controlled dangerous substance as defined in Code, Criminal Law Article, §5-101(f); without a prescription from a licensed medical practitioner.

✓ Any other lawful condition: NO CONTACT WITH FABIANE FIGUEIRA UNTIL TUESDAY 6-20-23 @ 6PM, THEREAFTER NO ABUSIVE CONTACT.

Pretrial Services Notice

I INFORMED THE DEFENDANT:

1. that a condition of ANY release is that Defendant appear for hearing and/or trial as directed by the Court.
2. that a warrant will be issued for the Defendant's arrest for any violation of condition(s) of release; that if the recognizance or bail bond is forfeited and the Defendant fails to surrender within 30 days following the forfeiture, on a felony charge the penalty imposed may be up to 5 years in jail and/or a fine up to \$5,000, or on a misdemeanor charge the penalty imposed may be up to 1 year in jail and/or a fine up to \$1,000; that the Defendant may be charged with contempt of Court.
3. to notify the Court in writing of any change of address or telephone number.

Date: 06/19/2023 Time: 7:12 AM

Commissioner:

L. Angel, B081

Commissioner ID: B081

Receipt

I have ☐ read ☒ had read to me the offense(s) for which I am charged, the conditions of release, the penalty for violation of the conditions of release, the Notice of Advice of Right to Counsel. I acknowledge receipt of a copy of this form. I understand that I will be advised by the Clerk when next to appear in court. I agree to any conditions of release and agree to appear as directed.

Date

Signature of Custodian

Signature of Defendant

**FAILING TO APPEAR FOR COURT WILL
RESULT IN A WARRANT FOR YOUR ARREST!**

If you have not received a trial date within 14 days,
call 301-600-2000, or inquire online at:

<http://casesearch.courts.state.md.us/casesearch/>

You must report mailing address changes to the Court!